

# COUNTY OF YORK

## MEMORANDUM

**DATE:** September 30, 2002 (BOS Mtg. 10/15/02)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator

**SUBJECT:** Application No. UP-605-02, Jimmie L. Goode

### ISSUE

This application requests a special use permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize a detached accessory apartment in conjunction with a single-family detached dwelling. The accessory apartment is to be located on the ground floor of an existing detached 2-floor garage constructed on property located at 711 Dare Road and further identified as Assessor's Parcel No. 25F-1-3.

### DESCRIPTION

- ? Property Owner: Jimmie L. Goode et ux & Jammie L. Goode
- ? Location: 711 Dare Road
- ? Area: 29,490 square feet
- ? Frontage: Approximately 100 feet on Dare Road (Route 621)
- ? Utilities: The property is currently served by public water and sewer
- ? Topography: Flat
- ? 2015 Land Use Map Designation: Medium-Density Residential
- ? Zoning Classification: R20 – Medium-Density Residential
- ? Existing Development: Single family detached home with detached garage
- ? Surrounding Development:

North: Single Family Detached Residential; Convenience Store & Auto Repair  
Across Railway Road  
East: Single Family Detached Residential  
South: Single Family Detached Residential  
West: Single Family Detached Residential

- ? Proposed Development: Detached accessory apartment in conjunction with a single-family detached dwelling.

### **CONSIDERATIONS/CONCLUSIONS**

1. Accessory apartments are permitted as a matter of right in the RR zoning district, but because the proposed size of the accessory apartment (700 square feet) exceeds the limits prescribed in Section 24.1-407(c) of the Zoning Ordinance (450 square feet or 25% of the total floor area of the principal dwelling, whichever is less), a special use permit is required. The Comprehensive Plan designates this area for low-density single-family residential uses.
2. The applicant wishes to convert the ground floor of an existing detached 2-floor garage building into living quarters for a family member (son). The upper floor of the building will be used for storage. The applicant's floor plan indicates dividing walls in the second floor storage area. I am recommending an approval condition requiring that this area remain open to make it more conducive to storage and less likely to be used as living space. The proposed first-floor apartment would include a dining room, kitchen, bedroom, and bathroom (see attached sketch plans). According to the applicant's current building plans, the total area of the accessory apartment will not exceed 700 square feet, which represents approximately 28% of the size of the principal dwelling. The principal dwelling is approximately 2,465 square feet in floor area. This application is comparable to other accessory apartment applications approved in residential districts.
3. Performance standards for accessory apartments are set forth in Section 24.1-407 of the Zoning Ordinance. These limit the maximum number of accessory apartments to one per single-family detached dwelling, require adequate provisions for off-street parking, require occupancy only by family members or guests of the occupant of the principal dwelling, and prohibit the apartment from being rented separate from the principal dwelling. These standards have been included as conditions in the approving resolution.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its regular meeting on September 11, 2002 and, subsequent to conducting a public hearing at which no one spoke, voted 7:0 to recommend approval.

### **RECOMMENDATION**

I am of the opinion that the subject parcel can accommodate the proposed accessory apartment with no adverse impacts on adjacent properties or County infrastructure. Therefore, I recommend that the Board approve this application subject to the conditions contained in proposed Resolution No. R02-174.

Attachments:

- ? Excerpts of Planning Commission minutes, September 11, 2002
- ? Zoning Map
- ? Site Map
- ? Floor plans of garage building
- ? Proposed Resolution R02-174